

**WESTERN HILLS WATER DISTRICT
MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS**

March 9, 2022

1. Call to Order

The regular meeting of the Board of Directors of the Western Hills Water District was called to order by M. Manning at 3:09 p.m. Meeting was held via Zoom pursuant to the Governor's Stay at Home Executive Order N-33-20 and WHWD Resolution re AB 361.

2. Roll Call

Present Directors were: President M. Manning, Director J. Davis, and Director C. Blessing; also present was Treasurer M. Kovich and General Counsel David Hobbs, and Water Operations Manager, Ron Demmers. Approximately 30 members of the public participated in the meeting.

3. Public comments on Closed Session Items/Motion to adjourn to Closed Session.

Motion to adjourn to closed session convened at 3:59 p.m. Reconvened open session at 4:09 p.m.

4. Reportable Actions Taken During Closed Session:

No reportable action taken.

5. Motion Approving Consent Calendar:

a. Motion to Approve the February 2022 Checks and Warrants, Approval of minutes for regular meeting February 9, 2022 and Resolution No. 2022-13, Resolution of the WHWD Making Findings in Accordance with AB 361 and Government Code Section 54953(e) Authorizing Remote Meetings. Upon motion duly made by Director M. Manning and seconded by Director C. Blessing, the directors unanimously approved the motion.

6. Action Items:

- a. Approval of Resolution No. 2022-09, Resolution of the WHWD re Approval of Expenditure of Approximately \$50,000 of Diablo Grande Community Facilities District No. 1 Mello-Roos bond Refinance Proceeds for the Payment of Immediate WHWD Expenses. Upon motion duly made by Director M. Manning and seconded by Director C. Blessing, the directors unanimously approved the resolution.
- b. Approval of Resolution No. 2022-07, Resolution of the WHWD re Approval of Expenditure of Approximately \$13,820.92 Arnaudo Construction of Diablo Grande Community Facilities District No. 1 Mello-Roos bond Refinance Proceeds for Diablo Grande Parkway repairs. After interviewing a representative from Arnaudo Construction about the history of the work in question, the board proposed making payments of \$1,000 or more per month to Arnuado Construction until paid in full. Amount due may be paid off if funds are available. Upon motion duly made by Director M. Manning and seconded by Director J. Davis, the directors unanimously approved the motion to make payments of \$1,000 or more as available until the \$13,820.92 is paid in full.
- c. Consideration and Approval of Resolution No. 2022-11, Resolution of the WHWD re Approval of Expenditure of Approximately \$4,400 of Diablo Grande Community Facilities District No. 1 Mello-Roos bond Refinance Proceeds to BNY Mellon Consultants. Upon motion duly made by Director M. Manning and seconded by Director J. Davis, the directors unanimously approved the motion. After further discussion, upon motion duly made by Director M. Manning and seconded by Director J. Davis, the directors unanimously approved the motion to amend the above approval and table this item until Treasurer obtains more information about the correct amount due.
- d. Consideration and Approval of Resolution No. 2022-12, Resolution of the WHWD re Approval of Expenditure of Approximately \$36,728.07 of Diablo Grande Community Facilities District No. 1 Mello-Roos bond Refinance Proceeds to Burke, Williams & Sorensen for legal services. Upon motion duly made

by Director M. Manning and seconded by Director J. Davis, the directors unanimously approved the resolution.

7. Reports of Board Members

David Hobbs stated that in response to the community petition that was circulated last year in the District to change WHWD elections from landowner to resident voting, the WHWD District was directed and required to adopt their own findings and resolution that converted the District from a land-owner voting district to a resident voting election. The resolution was provided to the County of Stanislaus and the County recently sent notice to the WHWD that it was going before the Board of Supervisors. On March 8, 2022, the Board of Supervisors authorized their elections department to officially change the election moving forward. The WHWD election will be in November in all even years, starting in 2022.

8. Public Comments on Items not on the Agenda


Comments and questions from community were answered by various directors.

9. Motion to Adjourn

Upon motion duly made by Director M. Manning and seconded by Director C. Blessing, all Directors unanimously adjourned the meeting at 4:12 p.m.

Matter Too Late for the Agenda: *Action items may be added to the agenda upon determination by a majority vote of the Board that an emergency exists, as defined by state law, or by a 2/3 vote of the Board that (1) there is a need to take immediate action; and (2) that the need for action came to the District's attention after the agenda was posted.*

Respectfully submitted:


Secretary of the Board

Approved:


Matthew Manning, President